

**TRANSMITTAL
FORM**

Application Number:	10/670,766
Filing Date:	05/29/02
First Named Inventor:	Reiko F. Irie
Art Unit:	1642
Examiner Name:	Misook Yu
Attorney Docket Number:	JWCI:030USD1

Total Number of Pages in this Submission : _____

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> References _____
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<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional
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<input type="checkbox"/> Power of Attorney, Revocation,
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Address
<input type="checkbox"/> Statement under 37 CFR §3.73(b)
<input type="checkbox"/> Designation of Patent Practitioners
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of
Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Check in the amount of \$225.00
<input checked="" type="checkbox"/> Authorized to be charged to deposit account
if check insufficient or inadvertently omitted
Deposit account number: <u>50-</u>
<u>1212/JWCI:030USD1/SLH</u>
<input type="checkbox"/> Sequence Statement
<input type="checkbox"/> Paper Copy of Sequence Listing
<input type="checkbox"/> Computer Readable Form (CRF)
<input checked="" type="checkbox"/> Postcard
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Remarks: If the check is missing, or if any additional fees are required under 37 CFR 1.16 to 1.21 for any reason related to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/DEBE:006US/SLH.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

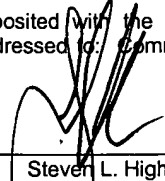
Firm Name	Fulbright & Jaworski, L.L.P.	Customer Number	32425
Signature			
Printed Name	Steven L. Highlander	Reg. No.	37,642
Date	September 27, 2005		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Steven L. Highlander	Date	September 27, 2005



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<u>September 27, 2005</u> Date	 Steven L. Highlander

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Reiko F. Irie, Dave S.B. Hoon
And Jia-ning Cao

Serial No.: 10/670,766

Filed: 05/29/02

For: METHODS AND USES OF TUMOR-
ASSOCIATED PEPTIDE ANTIGENS FOR
CANCER IMMUNOTHERAPY AND
DIAGNOSIS

Group Art Unit: 1642

Examiner: Misook Yu

Atty. Dkt. No.: JWCI:030USD1

**RESPONSE TO RESTRICTION REQUIREMENT DATED JUNE 28, 2005 AND
REQUEST FOR EXTENSION OF TIME**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

This paper is submitted in response to the Restriction Requirement dated June 28, 2005 for which the date for response was July 28, 2005.

A request for a three-month extension of time to respond is included herewith along with the required fee. This two-month extension will bring the due date to September 28, 2005, which is within the six-month statutory period. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee under

09/30/2005 BABRAHA1 00000005 10670766

01 FC:2252

225.00 OP

25580108.1 / 10206014

37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/JWCI:030USD1/SLH.

In response to the restriction requirement which the Examiner imposed, Applicants elect the following three distinct species of the claimed invention;

- A. The SEQ. ID NO24;
- B. Breast Cancer; and
- C. Immunomodulator.

REQUEST FOR EXTENSION OF TIME

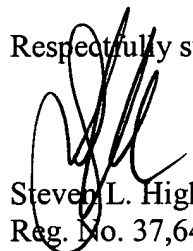
Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of two-months to and including September 28, 2005, in which to respond to the Office Action dated June 28, 2005.

Pursuant to 37 C.F.R. § 1.17, a check in the amount of \$225.00 is enclosed, which is the process fee for a two-month extension of time for a small entity.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/JWCI:030USD1/SLH.

The Examiner is invited to contact the undersigned attorney at (512) 536-3184 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 536-3184

Date: September 27, 2005